

**Electronically Filed
Supreme Court
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SCPW-15-0000910

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

DIANE E. MATHER a.k.a. DIANE E. MATHER-GEMELLI, Petitioner,

vs.

THE HONORABLE GARY W.B. CHANG, JUDGE OF THE CIRCUIT COURT OF THE
FIRST CIRCUIT, STATE OF HAWAI‘I, Respondent Judge,

and

CITIMORTGAGE INC. and KAREN SCHAEFER, Respondents.

ORIGINAL PROCEEDING
(CAAP-15-0000707; CIVIL NO. 14-1-1218-05)

ORDER DENYING PETITION FOR WRIT OF SUPERINTENDING CONTROL
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of Petitioner Diane E. Mather’s petition for a writ of superintending control, which was filed on November 30, 2015, and which we review as a petition for a writ of mandamus, the documents attached thereto and submitted in support thereof, and the record, it appears that Petitioner has filed an appeal in the Intermediate Court of Appeals (CAAP-15-0000707) and, therefore, may raise the issues in the petition and seek to extend the deadline for the filing of the opening brief in the appeal. Petitioner is not entitled to the requested

extraordinary writ. See, e.g., Kema v. Gaddis, 91 Hawai‘i 200, 204, 982 P.2d 334, 338 (1999) (a writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of superintending control is denied.

DATED: Honolulu, Hawai‘i, December 14, 2015.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

